

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**TONY RAPATZ, ALICE GUERRA, and  
KATHERINE GUERRA,**

**Plaintiffs,**

**v.**

**No. 12-cv-0827 JCH/SMV**

**JOE MARTINEZ, CHRISTIAN LOPEZ,  
ROBERT VIGIL, DANNY PACHECO,  
CITY OF ESPAÑOLA EMPLOYEES AND  
SUPERVISORS JOHN/JANE DOES, and  
CITY OF ESPAÑOLA,**

**Defendants.<sup>1</sup>**

**ORDER GRANTING PLAINTIFFS' REQUESTS FOR EXPENSES**

THIS MATTER is before the Court on the requests for expenses contained in Plaintiffs' First Motion to Compel Directed to Defendant City of Española [Doc. 156], Plaintiffs' First Motion to Compel directed to Defendant Vigil [Doc. 157], and Plaintiffs' First Motion to Compel directed to Defendant Pacheco [Doc. 158], all filed on February 9, 2015. Defendants filed a consolidated Response to all three motions on February 23, 2015. [Doc. 160]. Plaintiffs filed a consolidated Reply on February 24, 2015. [Doc. 161]. The Court heard oral argument on March 31, 2015. [Doc. 168]. Then, on April 1, 2015, the Court granted in part and denied in part the motions to compel. [Doc. 171]. At that time, the Court reserved ruling on the Plaintiffs' requests for expenses. *Id.* The Court is now prepared to rule on the requests and will award Plaintiffs' reasonable expenses pursuant to Fed. R. Civ. P. 37(a)(5)(C) and (d)(3).

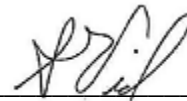
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<sup>1</sup> Defendants Joe Martinez and Christian Lopez were dismissed as parties on September 30, 2014. [Doc. 135].

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiffs' requests for expenses contained in their motions to compel [Docs. 156, 157, 158] are **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiffs' counsel shall file an affidavit listing his reasonable expenses, including attorney fees, incurred in briefing the motions to compel [Docs. 156, 157, 158] and in attending the hearing on March 31, 2015. The affidavit shall be filed no later than **May 21, 2015**. In the event that Defendants dispute the reasonableness of the requested expenses, they shall file a response no later than **May 28, 2015**.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**